UNITED NATIONS **S**

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2 May 1995

ORIGINAL: ENGLISH

LETTER DATED 2 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that, in conformity with the request of the Security Council of 1 May 1995 (S/PRST/1995/23), the limited police and territorial defence action aimed at ensuring the safety and security of the Zagreb-Belgrade highway and the adjoining railway was terminated today, 2 May 1995, at 1400 hours local time. The objectives of the action have been completed and safety and security are being restored to the area.

I should also like to inform you that today, at 1025 hours local time, the Serbian paramilitary forces launched a terrorist attack at the very centre of Zagreb. Several rockets landed on crowded city streets, one in the immediate vicinity of Zagreb's Catholic Cathedral. Two rockets hit a junior high school. Preliminary information shows at least 5 persons killed and 115 wounded. This follows several attacks on Karlovac and Sisak by Croatian Serbs, and renewed attacks on the Dubrovnik area by Bosnian Serb paramilitary forces, acting in coordination with Croatian Serbs.

In the course of the operation to reopen and secure the highway and the railway, every precaution has been taken to ensure the safety and security of civilian population in the area of operations. The Government has issued clear statements that relevant authorities have no intention of continuing with the police action once the limited action aimed at restoring the security of the highway and the railway has been completed. Presently, the relevant government authorities are negotiating the safe disbanding of some 600 Serbian paramilitary troops in a Western Slavonia enclave.

On the other hand, the Serbian paramilitary units have deliberately targeted the civilian population of Croatia's capital city and other population centres. My Government can interpret this action only as a sign that the Serbs in the occupied territories want to continue their terrorist actions. The Croatian Government will not respond to the terrorist attacks, notwithstanding the fact that they caused a total of 12 fatalities. Should, however, those attacks continue, Croatia will be compelled to respond and disengage the positions of the Serbian paramilitary forces, taking into consideration the continuing safety of the Serbian civilian population in the areas of attack.

Croatia remains committed to its long-standing policy of negotiation and peaceful reintegration of its occupied territories, and will act in a manner consistent with the letter and the spirit of the presidential statement of the Security Council.

I would kindly request your assistance in distributing this letter as a document of the Security Council.

(Signed) Mario NOBILO
Permanent Representative

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Security Council

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S/1995/350
3 May 1995

ORIGINAL: ENGLISH

THIRD PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS ANGOLA VERIFICATION MISSION (UNAVEM III)

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 7 of Security Council resolution 976 (1995) of 8 February, in which the Council asked me to inform it monthly of progress in the deployment of the United Nations Angola Verification Mission (UNAVEM III) and in the implementation of the Lusaka Protocol (S/1994/1441, annex). It covers major developments since my last report, dated 7 April (S/1995/274).

II. POLITICAL SITUATION

2. During the period under review, my Special Representative, Mr. Alioune Blondin Beye, continued his efforts to promote the implementation of the Lusaka Protocol and to consolidate recent positive developments in the political and military situation in the country. In this connection, he held consultations with the heads of State of Zaire, Zambia and Zimbabwe in order to make arrangements for the meeting between the President of Angola, Mr. José Eduardo dos Santos, and Mr. Jonas Savimbi, the leader of the União Nacional para a Independencia Total de Angola. It will be recalled that the Security Council, in its presidential statement dated 13 April (S/PRST/1995/18), placed special emphasis on the importance of such a meeting.

3. During the period under review, my Special Representative met on several occasions with President dos Santos and senior officials of the Government, including the Chief of General Staff of the Forças Armadas Angolanas, General Joao de Matos, to discuss various questions relating to the peace process. On 7 April, my Special Representative, accompanied by the government and UNITA delegations to the Joint Commission and by representatives of the three observer States (Portugal, Russian Federation and United States of America), travelled to Bailundo for a special session of the Commission, in which Mr. Savimbi also participated. During the meeting, the government delegation delivered to Mr. Savimbi a letter dated 6 April from

President dos Santos, in which he reiterated the Government's determination to guarantee the successful implementation of the Lusaka Protocol and to bring about lasting peace and national reconciliation.

4. On 14 April 1995, my Special Representative met in Gbadolité, Zaire, with President Mobutu Sese Seko, Mr. Savimbi, and the Minister for Foreign Affairs of Côte d'Ivoire, Mr. Amara Essy, who delivered a message from the President of his country to the UNITA leader. On the same day, a communiqué was issued, in which Mr. Savimbi reiterated his readiness to meet with President dos Santos. Preparations for the meeting are currently at an advanced stage. A UNITA delegation travelled to Luanda, where it held talks with the head of the government delegation to the Joint Commission. Upon its return to Bailundo, it was announced that agreement had been reached on the agenda for the meeting, as well as on a number of other practical details. On 21 April, my Special Representative went to Lusaka to discuss with President Chiluba the final arrangements for the meeting.

5. In the meantime, the Joint Commission, under the chairmanship of my Special Representative, held several sessions in Luanda during the month of April 1995. In addition to a review of the implementation by the parties of the conditions set forth in paragraph 4 of resolution 976 (1995) and in my recent reports concerning the deployment of United Nations troops, the Commission considered a wide range of practical questions, some of which are described in section III below.

6. Despite initial delays in finalizing the status-of-forces agreement for UNAVEM III, all major difficulties have been resolved and the document was signed on 3 May 1995.

III. MILITARY AND POLICE MATTERS

7. Security Council resolution 976 (1995) called upon the Government and UNITA to implement certain tasks before the deployment of United Nations infantry units to Angola could take place. These conditions include an effective cessation of hostilities; disengagement of government and UNITA forces; setting up of verification mechanisms; establishment of communication links between the Government, UNITA and UNAVEM; provision to the United Nations of relevant military data; and the early start of demining. The Security Council, in its presidential statement of 13 April, welcomed the progress that had been made and commended the parties for their efforts in that regard. At the same time, the Council reminded the Angolan parties that they must implement without delay the requirements of the Lusaka Protocol and provide UNAVEM with logistical support.

8. During the period under review, the cease-fire in Angola continued to hold generally. There has been a further reduction in the number of cease-fire violations, but the situation in several areas has remained tense, as both sides have continued to occupy forward positions, sporadically attacked the local population and conducted movements of their troops. Formal complaints were lodged by both the Government and UNITA, but only some of the cases reported could be confirmed by UNAVEM, since its movements in some areas were still restricted by poor road conditions, mines, bridge outages and other factors.

9. Despite some problems, the second phase of disengagement has been almost completed. UNAVEM is continuing its efforts to assist the parties in implementing this phase of disengagement, which covers the provinces of Lunda Norte, Lunda Sul and Moxico, as soon as possible; a working group of the Joint Commission will visit these areas to verify that the disengagement has been completed.

10. Although considerable progress has been made in the establishment of communication links among the parties and UNAVEM, a number of difficulties persist. Contacts with government troops have been successfully established in all regions, but effective communication with UNITA exists only in regions of Huambo and Uige. At remote United Nations team sites in the north-eastern, eastern, southern and south-eastern regions, UNITA liaison officers remain stationed near the United Nations team sites instead of being co-located with UNAVEM regional headquarters.

11. No additional military data have been provided to the United Nations by the Government or UNITA since the meetings of their general chiefs of staff in November 1994. I must stress once again that this information is essential for the implementation of future stages of the peace process. At the same time, important progress was achieved by the Joint Commission at its fourteenth regular session, which was held in Luanda on 20 April 1995. The parties agreed on the principle of "global incorporation" of UNITA soldiers into the national army, to be followed by gradual demobilization, until the Forças Armadas Angolanas reaches the level of 90,000 troops, a figure that both parties have accepted.

12. UNAVEM has continued efforts to accelerate the start of country-wide demining. Although the Government and UNITA have pledged to put 800 and 400 personnel, respectively, at the disposal of UNAVEM for mine-clearance activities, both parties have yet to release the funds or equipment necessary in order for the programme to become operational. In the meantime, UNAVEM has recommended to the parties that they begin mine-sweeping operations on major roads under their control to make possible the expeditious deployment of United Nations troops. Reconnaissance of these routes is expected to start on 7 May 1995.

13. The advance party of the Logistics Battalion provided by the United Kingdom of Great Britain and Northern Ireland has arrived in Lobito/Catumbela and is making the necessary preparations for the establishment of the logistics base and the deployment of UNAVEM III infantry units. According to the revised schedule, the first infantry elements are expected to arrive in Angola in the second half of May 1995. By this time, all UNAVEM support units, including engineer, communication, helicopter, naval and medical units, should be installed. In the meantime, the deployment of military observers to all 53 team sites has been completed. Progress has also been made in obtaining facilities in Luanda and in several other areas of the country for the use of the Mission.

14. With the arrival of the Police Commissioner, the civilian police component of UNAVEM III has become fully operational. As of 26 April, 185 civilian police observers from 17 countries have been deployed to all 29 team sites, including the 6 regional headquarters. Their activities include extensive patrolling;

visiting Angolan police stations and jails; verifying and monitoring activities of the Angolan national police; and receiving and investigating complaints involving human rights violations. In addition, the civilian police observers are often asked to assist the Angolan police or local authorities in various investigations.

15. It will be recalled that one of the main elements of the Lusaka Protocol is the quartering of the Rapid Reaction Police. Preparations for this process must be expedited. In order to begin quartering the Rapid Reaction Police in a timely manner, accommodation in barracks with adequate facilities is to be provided by the Government in the eight locations agreed upon by the parties. At the same time, reports have been received from UNAVEM civilian police observers that some of these police elements are currently deployed to areas other than the above eight locations.

IV. HUMANITARIAN SITUATION

16. Since mid-March, United Nations agencies and non-governmental organizations (NGOs) have been able to extend their humanitarian and rehabilitation programmes to several previously inaccessible areas in Angola. Emergency programmes recently launched in new areas have been consolidated and the situation in those areas has improved. In the meantime, assessment missions to a number of other areas, such as Cuemba (Bie), Cafunfo and Lucapa (Lunda Norte), Mussende and Quibala (Kwanza Sul), and Toto (Uige), have been organized. Additional missions to several other isolated communities have been planned.

17. Efforts to intensify the distribution of humanitarian aid by road have begun to show results. Several overland convoys were successfully organized over the reporting period, from Sumbe to Waku Kungo and Quibala in Kwanza Sul province and from Lobito to Cubal in Benguela Province. Humanitarian organizations have also travelled by road in Malanje province and halfway through Huambo province. However, as a result of logistic constraints, mine pollution and banditry, overland access to many parts of Angola is still restricted. Although some progress has been made in opening portions of the three main road corridors - Luanda/Malanje, Benguela/Kuito and Namibe/Menongue - much reconstruction and mine-clearing work remains to be done. These same factors are hindering the return of displaced people to their places of origin. As a result, the World Food Programme (WFP) airlift operation remains essential to the humanitarian aid programme.

18. A substantial increase has been registered in the number of mine incidents involving civilians. Meanwhile, specialized NGOs, in cooperation with the United Nations Central Mine Action Office, continue to train Angolan deminers and to clear both land-mines and unexploded ordnance in Kuito, Luena and Malanje. For humanitarian purposes, the Government and UNITA have both agreed to provide the United Nations with information on the location of mines.

19. During the reporting period, members of the United Nations Demobilization and Reintegration Office visited UNITA headquarters in Bailundo to discuss the humanitarian assistance component of the demobilization and reintegration programme. The Office also participated in the work of the Ad Hoc Committee on

Demobilization, which is chaired by my Special Representative. This Committee, among other tasks, is considering the implications of the recent agreement between the Government and UNITA on global incorporation of UNITA forces into the national army. The second phase of the survey on the social and economic needs of demobilized soldiers from UNITA and the Forças Armadas Angolanas was launched with visits to several parts of the country. The results of this survey will be used in the design of training and social reintegration programmes.

20. While some donors have confirmed the pledges made in response to the 1995 United Nations consolidated inter-agency appeal for Angola, others have yet to announce their contributions. WFP is currently experiencing a serious shortfall in the supply of maize and the United Nations Children's Fund (UNICEF) a critical shortage of relief items, reducing the level of support that they can offer to NGOs. I strongly urge the international community to provide all possible assistance to the humanitarian projects of United Nations agencies and NGOs so that these organizations can adequately address the pressing needs of the Angolan people.

V. OBSERVATIONS

21. Since my last report, the implementation of the Lusaka Protocol has entered a new phase. There has been a marked improvement in the overall political climate in the country and in the attitude of the parties. However, these positive developments need to be consolidated and sustained. In this connection, it is my hope that the meeting between President dos Santos and Mr. Savimbi will result in concrete agreements and provide the necessary impetus to the full and timely implementation of the peace process.

22. Despite the progress that has been achieved, much more remains to be done in several areas. The gradual and phased deployment of the United Nations infantry battalions will undoubtedly provide additional momentum to the peace process. However, I would like to reiterate that I shall not hesitate to recommend to the Council that the deployment of the troops be postponed or stopped if the parties fail to fulfil their commitments under the Lusaka Protocol and the relevant resolutions of the Security Council.

23. It is imperative that the arrival of United Nations formed units be accompanied by increased cooperation of the Government and UNITA with the United Nations in carrying out all major provisions of the Protocol, including the release of prisoners. I must also reiterate my concern about the slow progress in demining, opening up of major roads and repair of airfields and other vital infrastructure. The positive decisions that were taken in this regard and the special plan formulated by the Joint Commission at its fifth extraordinary session on 26 April should be executed without delay. If these critical steps are not taken immediately, it will not be possible for United Nations infantry to be deployed to the various regions in Angola in a timely manner. I call upon the Government and UNITA to take urgent action to make available the necessary funds and equipment, in addition to the personnel they have promised to provide to begin mine clearance. I also urge the international community to support this vital effort actively.

24. It is essential that the Angolan parties facilitate further the deployment and unhindered operations of UNAVEM III throughout Angola and that they provide it with all necessary facilities and services. The present phase of the peace process also demands that appropriate urgent attention be given to various aspects of the quartering of UNITA soldiers and the withdrawal of government troops to their barracks. Timely and systematic preparation for these processes will be vital for the incorporation of UNITA troops into the national army and police and for the ultimate success of the peace process.

25. The improvement in security conditions has made new areas accessible to humanitarian agencies, thereby increasing their potential to assist the civilian population. It is therefore essential that Member States act expeditiously to convert the good will expressed at the February 1995 donors' meeting into tangible contributions. It is equally important that the Government of Angola and UNITA extend the highest degree of cooperation to the United Nations and its agencies, as well as to NGOs, and that they take all possible measures to promote the expansion of humanitarian activities in Angola.

Annex

UNAVEM III military and civilian police personnel

(as of 26 April 1995)

Country	Military observers	Civilian police officers	Military medical personnel	Staff officers	Troops	Total
Algeria	10					10
Argentina	2	3				5
Bangladesh	10	1				11
Brazil	19	16	11			46
Bulgaria	10	10				20
Congo	8					8
Egypt	10	10				20
Fiji		10				10
France	8					8
Guinea-Bissau	18	6				24
Hungary	10	15				25
India	20	19				39
Jordan	20	20				40
Kenya	10					10
Malaysia	20	20				40
Mali	10					10
Morocco		2				2
Netherlands	15	10				25
New Zealand	7					7
Nigeria	20	15				35
Pakistan	5					5
Norway	4					4
Poland	7					7
Portugal	6	1		1		8
Russian Federation	10					10
Senegal	10					10
Slovakia	5					5
Sweden	19					19
United Kingdom of Great Britain and Northern Ireland				5	336	341
Uruguay	10					10
Zambia	10	10				20
Zimbabwe	21	17		3		41
Total	334	185	11	9	336	875

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April 1995

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Cartographic Section

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3 May 1995

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LETTER DATED 3 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith the text of a letter dated 3 May 1995 by the Deputy Prime Minister and Minister for Foreign Affairs, Dr. Mate Granić, addressed to you (see annex).

I would kindly request your assistance in distributing the present letter and its annex as a document of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

95-13432 (E) 030595 040595

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Annex

Letter dated 3 May 1995 from the Deputy Prime Minister and Minister for Foreign Affairs of Croatia addressed to the President of the Security Council

Pursuant to Ambassador Nobilo's letter of 2 May 1995 (S/1995/349), I have to inform you that today, at 1210 hours local time, Croatian Serb paramilitaries launched yet another terrorist attack at the very centre of Zagreb. Ground-to-ground missiles with cluster-bomb warheads identical to the ordnance used in yesterday's attack hit the Children's Hospital in Klaićeva Street; the Croatian National Theatre building, in the immediate surroundings of Zagreb's main mosque; in the vicinity of the University of Zagreb's main building; and in the vicinity of the main railway station. Today's casualties include 1 person killed and 43 wounded, of whom as many as 20 are foreign nationals.

The Serbian paramilitary forces, acting on the direct orders of Milan Martić and "general" Milan Čeleketić, directed their attack at civilians, hospitals, schools and cultural and religious institutions in Zagreb. They used missiles that are excessively injurious and have indiscriminate effects and are thus forbidden under international law. The Government of the Republic of Croatia considers this an act aimed at wanton destruction, including the destruction of and wilful damage to institutions dedicated to religion, charity and education, arts and sciences, historic monuments and works of art and science, by wilful killing, wilfully causing suffering and serious injury to body and health, in violation of articles 2 and 3 of the statute of the International Tribunal established pursuant to resolution 827 (1993).

It is the firm belief of my Government that the people responsible should be brought to justice.

With regard to the situation in western Slavonia, I have the honour to inform you that the relevant government authorities have secured the area. The 600 Serbian paramilitary troops who have laid down their arms are presently being disbanded in an orderly manner under the supervision of UNCRO. The highway and the Zagreb-Vinkovci railway are expected to reopen by the end of this week, immediately following technical inspection and certification. Furthermore, Croatia is cooperating fully with relevant international humanitarian organizations in securing the safety and well-being of the civilian population in the area.

Croatia remains committed to its long-standing policy of negotiation and peaceful reintegration of its occupied territories, and in this regard has signed a Cessation of Hostilities Agreement proposed by the Special Representative of the United Nations Secretary-General, Mr. Yasushi Akashi. Let me state that the state of unpredictability existing within the Croatian Serb leadership on the occupied territories calls for the urgent establishment of control over their missile systems and bases. This can be most readily achieved through the rapid deployment of UNCRO in those areas.

Should, however, the Serbian side continue with its indiscriminate attacks against civilians, my Government once again states that it will be compelled to respond appropriately and to disengage the relevant attacking positions of the Serbian paramilitary forces.

(Signed) Mate GRANIĆ

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3 May 1995
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ORIGINAL: ARABIC

LETTER DATED 3 MAY 1995 FROM THE PERMANENT OBSERVER OF PALESTINE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As Chairman of the Arab Group during May 1995, I should like to convey to you the Group's position towards the latest action taken recently by the Israeli Government with regard to Jerusalem, namely, its decision to confiscate 35 hectares of Palestinian land situated in the area of East Jerusalem and its announcement that such land is to be allocated for the purpose of continuing to build Israeli settlements, thus contravening the rules of international law.

The Arab Group expresses its severe condemnation of the aforesaid Israeli action as a flagrant violation of the fourth Geneva Convention of 1949 and the relevant Security Council resolutions. That action moreover contradicts the Middle East peace process arrangements and threatens their progress.

The Arab Group affirms that the city of Jerusalem is of particular and central significance for Arab and Muslim workers. It likewise affirms the Arab character of Jerusalem, as well as the invalidity of Israeli measures and procedures aimed at changing the legal status of Jerusalem.

The Arab Group officially requests the Security Council to take urgent steps to deal with this extremely serious situation and put an end to the numerous Israeli violations, particularly in East Jerusalem, as well as to take the necessary measures for revocation of the Israeli confiscation orders.

The Arab Group will continue to follow developments in the matter in the light of the action that the Security Council takes and the outcome of the emergency meeting of the Council of Foreign Ministers of the League of Arab States to consider this important subject.

I should be grateful if you would have this letter circulated as an official document of the Security Council.

(Signed) Dr. Nasser AL-KIDWA
Permanent Observer to
the United Nations
Chairman of the Arab Group

95-13449 (E) 030595 030595 040595

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NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication that he has received from the Director General of the International Atomic Energy Agency (IAEA).

95-13482 (E) 050595 080595

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Annex

Letter dated 2 May 1995 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

By a letter to you on 16 November 1994 (S/1994/1310), I described the latest developments over safeguards implementation in the Democratic People's Republic of Korea, in particular in the light of the "agreed framework", signed in Geneva on 21 October 1994 by the United States of America and the Democratic People's Republic of Korea, and of the statement of 4 November 1994 by the President of the Security Council (S/PRST/1994/64). Through that statement, the Security Council, inter alia:

(a) Took note of the decision of the Democratic People's Republic of Korea in the agreed framework to remain a party to the Treaty on the Non-Proliferation of Nuclear Weapons and to come into full compliance with the IAEA-Democratic People's Republic of Korea Safeguards Agreement (INFCIRC/403) under the Treaty;

(b) Underlined that the Safeguards Agreement remained binding and in force and looked to the Democratic People's Republic of Korea to act thereon;

(c) Noted with approval the decision of the Democratic People's Republic of Korea in the agreed framework to freeze its graphite-moderated reactors and related facilities;

(d) Requested IAEA to take all steps it might deem necessary as a consequence of the agreed framework to monitor the freeze;

(e) Requested IAEA to continue to report to it on the implementation of the Safeguards Agreement until the Democratic People's Republic of Korea had come into full compliance with the Agreement and to report to the Council on its activities related to monitoring the freeze of the specified facilities.

My letter of 16 November 1994 reported that, following the 4 November statement by the President of the Security Council, I convened a meeting of the Agency's Board of Governors on 11 November to explain the IAEA secretariat's understanding of the measures that the Security Council had requested the Agency to take and to obtain the Board's authorization in that regard. At the conclusion of its meeting, the Board of Governors:

(a) Authorized the Director General to carry out all the tasks requested of the Agency as outlined in the presidential statement of the Security Council on 4 November 1994;

(b) Requested the Director General to report to it periodically and to the Security Council as appropriate on the implementation of the IAEA/Democratic People's Republic of Korea safeguards agreement and on the Agency activities related to monitoring the voluntary measure of the freeze on specified facilities in the Democratic People's Republic of Korea.

In the latter connection, I submitted a written report (GOV/2687/Add.10 of 6 March 1995) to the Agency's Board of Governors for its meeting from 27 to 31 March 1995. I also made a statement to the Board, on 27 March, in which I highlighted points arising from the report. These included the verification measures currently being implemented in the Democratic People's Republic of Korea and issues to be addressed at further technical talks between representatives of the Democratic People's Republic of Korea and an Agency technical team.

Having concluded its consideration of the item on its agenda relating to the Democratic People's Republic of Korea, the Board of Governors expressed the hope that further agreement would be reached on issues outstanding between the Agency and the Democratic People's Republic of Korea and reiterated earlier requests to me to be kept informed about developments.

I attach a copy of my report of 6 March to the Agency's Board of Governors (GOV/2687/Add.10). I should be grateful if you would bring it, with this letter, to the attention of the Security Council, to which I shall continue to report as requested.

(Signed) Hans BLIX

Appendix

**REPORT BY THE DIRECTOR GENERAL
ON THE IMPLEMENTATION OF THE AGREEMENT BETWEEN
THE INTERNATIONAL ATOMIC ENERGY AGENCY AND
THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA
IN CONNECTION WITH THE TREATY ON
THE NON-PROLIFERATION OF NUCLEAR WEAPONS (INFCIRC/403)
AND ON THE PRESIDENTIAL STATEMENT ADOPTED BY
THE UNITED NATIONS SECURITY COUNCIL ON
FRIDAY, 4 NOVEMBER 1994**

1. In his report to the Board of Governors (GOV/2687/Add.9) of 8 November 1994, the Director General informed the Board about latest developments over safeguards implementation in the DPRK, in particular in the light of the "Agreed Framework" signed in Geneva on 21 October 1994 by the USA and the DPRK (INFCIRC/457) and of the statement of 4 November 1994 by the President of the Security Council. Through this Statement, the Security Council, inter alia:

- took note of the decision of the DPRK in the "Agreed Framework" to remain a party to the Treaty on the Non-Proliferation of Nuclear Weapons and to come into full compliance with the IAEA-DPRK Safeguards Agreement (INFCIRC/403) under the Treaty;

- underlined that the Safeguards Agreement remains binding and in force and looked to the DPRK to act thereon;

- noted with approval the DPRK's decision in the "Agreed Framework" to freeze its graphite-moderated reactors and related facilities;

- requested the IAEA to take all steps it may deem necessary as a consequence of the Agreed Framework to monitor the freeze and;

- requested the IAEA to continue to report to it on the implementation of the Safeguards Agreement until the DPRK has come into full compliance with the Agreement and to report to the Council on its activities related to monitoring the freeze of the specified facilities.

2. At its meeting on 11 November 1994, the Board of Governors, inter alia:

- took note of the Agreed Framework between the DPRK and the United States, concluded on 21 October 1994 and of the decision of the DPRK in the Agreed Framework to remain a party to the NPT and to come into full compliance with the IAEA/DPRK safeguards agreement;

- reaffirmed that the safeguards agreement between the IAEA and the DPRK remained binding and in force;

- authorized the Director General to carry out all the tasks requested of the Agency as outlined in the Presidential Statement of the United Nations Security Council on 4 November 1994; and

- requested the Director General to report to it periodically and to the Security Council as appropriate on the implementation of the IAEA/DPRK safeguards agreement and on the Agency activities related to monitoring the voluntary measure of the freeze on specified facilities in the DPRK.

3. Subsequently, a technical team from the Department of Safeguards, visited the DPRK from 23-28 November 1994 to discuss the verification measures which the IAEA has to perform at nuclear facilities in the DPRK. In his statement to the Board on 8 December 1994, the Director General said that discussions between the Agency and DPRK representatives had been useful and constructive. Implementation of some of the verification measures required was already under way. Arrangements had been made to enable the Agency to meet most of its objectives although a few remaining areas required further technical consideration and discussion with DPRK representatives.

4 During their visit to the DPRK in November 1994, the IAEA technical team visited all the nuclear facilities subject to the freeze in Nyongbyon and the reactor under construction in Taechon. The team confirmed that the following facilities were not in operation and that construction work had stopped:

- The Nyongbyon 5 MWe Experimental Nuclear Power Plant.
- The Nyongbyon Nuclear Fuel Rod Fabrication Plant.
- The Radiochemical Laboratory of the Institute of Radiochemistry of Nyongbyon.
- The Nyongbyon 50 MWe Nuclear Power Plant (under construction).
- The Taechon 200 MWe Nuclear Power Plant (under construction).

During discussions with representatives of the DPRK, the Agency team described the activities that the Agency would need to perform at DPRK facilities subject to the freeze, and at those facilities not subject to the freeze referred to in the Agreed Framework.

5. The DPRK representatives made clear to the Agency team that the DPRK does not view acceptance of measures required by the Agency to monitor the freeze at specific nuclear facilities as being under its Safeguards Agreement with the Agency but only in the context of the Agreed Framework signed by the DPRK and the United States. The DPRK side also said that the DPRK will allow full implementation of the Safeguards Agreement "when the time comes", which the DPRK appears to regard as when a significant portion of the Light Water Reactor (LWR) project, foreseen in the Agreed Framework, is completed and the DPRK then comes into full compliance with its Safeguards Agreement. The DPRK side indicated that, until then, the Agency can carry out ad hoc and routine inspections under the Safeguards Agreement only at nuclear facilities in the DPRK not covered by the freeze and not at the facilities under the freeze. Relevant facilities are:

- The IRT Research Reactor.
- The Critical Assembly.
- The Sub-Critical Assembly.
- The Nuclear Fuel Rod Storage, and
- Locations Outside Facilities.

6. Notwithstanding the continuing difference of view between the Agency and the DPRK as to the current status of the Safeguards Agreement, the DPRK has responded positively towards a number of safeguards measures that the Agency needs to perform to continue implementation of safeguards in the DPRK, including measures required for monitoring the freeze. The DPRK has accepted the Agency's understanding of the freeze in the report of the Director General in GOV/2687/Add.9 and has also agreed to definitions of technical buildings constituting parts of a facility for the purpose of monitoring the freeze. The Agency team visited the technical buildings and verified their status. They also reached agreement with the DPRK that, if any technical building changes its design and scope of operation in a way which makes it no longer relevant for the purposes of the freeze, the Agency will be informed in advance so that consultations can be made with the DPRK to facilitate the Agency's visits to verify the new scope of operations. It was also agreed that, if any nuclear-related equipment and components are removed from facilities under the freeze, to be used elsewhere, the Agency will also be informed in advance and the DPRK will facilitate the Agency's visits to verify the new end-use of such equipment and components.

7. At particular facilities under the freeze, the DPRK has accepted verification of nuclear material and of design information, the application of seals, surveillance and other monitoring techniques on material, equipment and on containment and also the taking of photographs. At other facilities under the freeze however, the DPRK side has not so far enabled the taking of measurements by the Agency because such measurements are associated, in their view, with the verification of historical data relevant to the accuracy and completeness of the DPRK's initial declaration of its nuclear material and facilities, an issue to be addressed at a later stage.

8. Between 21-28 January 1995, the Agency technical team again visited the DPRK. The two sides discussed the status of the implementation of those verification measures already agreed and continued to discuss the technical issues which had been left open since the meeting in November 1994.

9. The Agency team also discussed with DPRK representatives the results of the inspections which had been performed since the meeting in November at facilities under the freeze. The DPRK representatives continued to make clear that the DPRK's basic attitude towards the status of the Safeguards Agreement has not changed. Also, whilst the DPRK can accept containment and surveillance measures, it has declined measures (level and density measurements) which the Agency considers necessary to monitor that there is no movement or any operations with regard to nuclear liquid wastes in the Radiochemical Laboratory. The

DPRK has also declined measurements relevant to assessing the total amount of plutonium contained in the spent fuel from the DPRK's 5 MWe Experimental Nuclear Power Plant. Up until now the Agency has not been able to take any measurements of the plutonium in the spent fuel. The Agency needs to take such measurements during the transfer of the spent fuel into containers for storage planned for late Spring 1995. The taking of the measurements at this time is important. This is because the spent fuel will remain sealed in containers for a long time. Taking measurements after a number of years would be a costly and technically complicated operation. All these issues remain open for further discussion.

10. Also during the Agency team's visit to the DPRK in January 1995, the DPRK side invited the team to visit the location where the nuclear graphite blocks that had been manufactured for use in the 50 MWe reactor core are being stored. The DPRK representatives told the Agency team that only some of the graphite blocks had been manufactured and that the production of other, important reactor-related equipment and components had stopped long ago. The DPRK has undertaken to give the team further information about these matters, including as relevant also to its 200 MWe reactor. The issue of whether such equipment and components (not currently installed in any nuclear facility under the freeze) will be subject to the freeze arrangements will be clarified during a further round of technical discussions between the Agency and DPRK scheduled to take place in the Spring.

11. The Agency team explained that the Agency activities discussed in November 1994 and in January 1995 regarding facilities under the freeze were aimed at verifying the freeze, i.e. that there is no operation or construction work undertaken at the relevant nuclear facilities in the DPRK other than any maintenance work monitored by the Agency. The discussions, so far, have not addressed the steps that the Agency deems necessary for the DPRK to take to meet its undertaking to preserve, intact, all information relevant to the verification of the accuracy and completeness of the DPRK's initial declarations. This is an important issue. The report of the Director General in GOV/2687/Add.9 of 8 November 1994 makes clear that the Agency's ability to verify full compliance with the IAEA/DPRK Safeguards Agreement will depend substantially on the extent to which all relevant information will remain available. The Agency is finalising its requirements with regard to the information it needs. This will require inputs from the DPRK. The requirements will be subject to discussion between the IAEA and the DPRK.

12. The Agency has maintained a continuous inspector presence in the Nyongbyon area since May 1994. At the end of November 1994, Agency inspectors started to implement agreed measures at the DPRK facilities with the co-operation of the DPRK authorities and operators. Furthermore, in January 1995, the DPRK accepted the designation of 10 additional IAEA inspectors, bringing the total up to 20 designated inspectors for the DPRK. This will facilitate inspections. On the other hand, some of the measures required for safeguards implementation in the DPRK, including the monitoring of the freeze, have so far been declined by the DPRK. As stated in paragraph 10 above, a further round of technical discussions is scheduled to take place in the Spring.

13. The Director General will continue to report to the Board on the implementation of the Safeguards Agreement with the DPRK, including the monitoring of the freeze.

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IDENTICAL LETTERS DATED 3 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 28 April 1995 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

Identical letters dated 28 April 1995 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General and the President of the Security Council

I should like to inform you that the news agencies have been carrying a report that the United States Administration is still conspiring to undermine Iraq's stability and internal security. In its issue for 12 April 1995, The New York Times reports that the Central Intelligence Agency has asked the United States Congress for 15 million dollars to finance its operations against Iraq and to recruit agents for such operations outside Iraq.

This information comes in the context of a policy declared and advanced against Iraq by the United States Administration during the time of former President George Bush and now by President William Clinton in a desperate attempt to destabilize the country by persistently interfering in it internal affairs in violation of the provisions of Security Council resolutions, particularly those of resolution 687 (1991) affirming commitment to the sovereignty, territorial integrity and political independence of Iraq, and in violation of the Charter of the United Nations and the norms of international law.

A policy such as this, pursued by a State that is a permanent member of the Security Council in breach of its responsibilities with respect to international peace and security under the Charter, can only further undermine peace and security in the region.

As it places the foregoing information on record with the United Nations, Iraq condemns in the strongest terms the policy being pursued against it by the United States.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF

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LETTER DATED 3 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In and out of season, officials of the United States Administration have persistently included the name of the Socialist People's Libyan Arab Jamahiriya in their list of countries that are providing support to international terrorism, trying to obstruct peace in the Middle East and seeking to acquire weapons of mass destruction. The latest such opportunity was that presented by the address given by President Clinton of the United States to the World Jewish Congress on 30 April 1995. In that address, he said:

> "[There are] lands of the Middle East ... who still seek to destroy the peace - nations like Iran, Iraq and Libya. They aim to destabilize the region; they harbour terrorists within their borders; they establish and support terrorist base camps in other lands; they hunger for nuclear and other weapons of mass destruction. Every day, they put innocent civilians in danger ... Our policy ... is simple: they must be contained."

In making these charges against certain countries, including Libya, the United States President is guilty of confusion and of making open threats that are entirely unwarranted, especially when he knows that Libya is not a source of international terrorism and when he is unable to produce any shred of evidence showing that it supports such terrorism. Libya, against which this charge is being made, has on many occasions declared that it condemns terrorism in all its forms and it has officially requested the Secretary-General of the United Nations to send a team of his own choosing to ascertain that there are no camps in its territory that harbour or train terrorists such as are alleged by the United States. The case is rather that it was itself a victim of State terrorism when the United States, a Great Power and a permanent member of the Security Council, launched a brutal attack against it, at night, with the goal of murdering the Leader of its revolution. This cost the lives of many innocent citizens, most of them children, women and old people, and it has since been proved that the Jamahiriya had no connection with the incident used as a pretext for the attack.

The Government of the United States, which maintains that it is combating international terrorism, has given asylum to elements hostile to the Libyan people and has allowed them to move freely in its territory and to hold

meetings. A meeting was held in Atlanta, Georgia, from 15 to 18 April 1995 of the so-called "National Front for the Salvation of Libya", which is made up of terrorist elements and agents recruited by the Central Intelligence Agency to be used to undermine the security and stability of Libya in order to advance the objectives of the United States. We recall in this connection document S/1994/968, of 12 August 1994, in which we called attention to a report of 16 December 1991 by a correspondent of the newspaper Al-Hayat from one of its correspondents who had visited a training camp in Virginia for the Libyan prisoners the United States had abducted from Chad and taken to its territory in an unprecedented act of piracy that violated human rights and the Geneva Convention relative to the Treatment of Prisoners of War. This robs the United States of any credibility as a State that claims to be combating international terrorism.

We realize that the allegation made by the United States President that Libya aspires to acquire nuclear weapons and other weapons of mass destruction is no more than an artless attempt to distract the world's attention from the obvious fact that the Israelis possess a nuclear arsenal that represents a looming danger for the Arab nation, an arsenal that they built with the direct support of the United States while other States in the region were prevented from acquiring nuclear technology for peaceful purposes. The entire world knows that the Jamahiriya has declared on numerous occasions that it does not seek to acquire nuclear weapons because it lacks the capacities necessary for it to do so and because it is a party to the Treaty on the Non-Proliferation of Nuclear Weapons. It has allowed the Director General of the International Atomic Energy Agency to visit the country, and he has confirmed that it is in compliance with the provisions of the Treaty.

In connection with the United States President's accusation that the Jamahiriya is trying to destroy the peace in the Middle East, the truth is the exact opposite. More than any other State, the Jamahiriya is anxious for the success of peace in the region, that is to say for the success of that just, lasting and comprehensive peace that it believes can only be achieved by the establishment of a democratic, non-racist and non-nuclear State in Palestine in which Palestinians and Jews live on an equal footing and brought about in a manner similar to that in the case of South Africa.

The Jamahiriya firmly rejects all of the charges made by the United States President in the address indicated and sees in them a mode of conduct at variance with that required in international intercourse and one that embodies deliberately hostile intentions that are incompatible with the provisions of Article 2, paragraph 4, of the Charter of the United Nations. It calls upon the Security Council, as the organ that bears responsibility for the maintenance of international peace and security, to prevent the United States from undertaking any action prejudicial to the sovereignty and independence of the Jamahiriya or tending to undermine its security and stability.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohamed A. AZWAI
Permanent Representative